



General Assembly

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Amendment

LCO No. 9398

HB0728209398HDO

Offered by:

REP. STAPLES, 96th Dist.

REP. PERONE, 137th Dist.

REP. MINER, 66th Dist.

SEN. STILLMAN, 20th Dist.

REP. RITTER, 38th Dist.

To: Subst. House Bill No. 7282

File No. 556

Cal. No. 469

**"AN ACT CONCERNING PROPERTY TAX DELINQUENCIES OF
TELECOMMUNICATIONS COMPANIES."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subdivision (4) of subsection (a) of section 7-536 of the
4 general statutes is repealed and the following is substituted in lieu
5 thereof (*Effective October 1, 2007*):

6 (4) "Local capital improvement project" means a municipal capital
7 expenditure project for any of the following purposes: (A) Road
8 construction, renovation, repair or resurfacing, (B) sidewalk and
9 pavement improvements, (C) construction, renovation, enlargement or
10 repair of sewage treatment plants and sanitary or storm, water or
11 sewer lines, including separation of lines, (D) public building

12 construction other than schools, including renovation, repair, code
13 compliance, energy conservation and fire safety projects, (E)
14 construction, renovation, enlargement or repair of dams, bridges and
15 flood control projects, (F) construction, renovation, enlargement or
16 repair of water treatment or filtration plants and water mains, (G)
17 construction, renovation or enlargement of solid waste facilities, (H)
18 improvements to public parks, (I) the preparation and revision of local
19 capital improvement plans projected for a period of not less than five
20 years and so prepared as to show the general description, need and
21 estimated cost of each individual capital improvement, (J)
22 improvements to emergency communications systems, (K) public
23 housing projects, including renovations and improvements and energy
24 conservation and the development of additional housing, (L)
25 renovations to or construction of veterans' memorial monuments, (M)
26 thermal imaging systems, (N) bulky waste and landfill projects, (O) the
27 preparation and revision of municipal plans of conservation and
28 development adopted pursuant to section 8-23, provided such plans
29 are endorsed by the legislative body of the municipality not more than
30 one hundred eighty days after adoption by the commission, (P)
31 acquisition of automatic external defibrillators, [and] (Q) floodplain
32 management and hazard mitigation activities. "Local capital
33 improvement project" means only capital expenditures and includes
34 repairs incident to reconstruction and renovation but does not include
35 ordinary repairs and maintenance of an ongoing nature and
36 "floodplain management" and "hazard mitigation" shall have the same
37 meaning as in section 25-68j, and (R) activities related to the planning
38 of a municipal broadband network, provided the speed of the network
39 will be not less than three hundred eighty-four thousand bits per
40 second.

41 Sec. 502. (NEW) (*Effective July 1, 2007*) (a) There shall be a
42 Broadband Internet Coordinating Council, which shall include
43 representatives from both the private and public sectors. The council
44 shall consist of ten members, two of whom shall be appointed by the
45 Governor, two of whom shall be appointed by the president pro

46 tempore of the Senate, two of whom shall be appointed by the speaker
47 of the House of Representatives, one of whom shall be appointed by
48 the majority leader of the Senate, one of whom shall be appointed by
49 the majority leader of the House of Representatives, one of whom shall
50 be appointed by the minority leader of the Senate and one of whom
51 shall be appointed by the minority leader of the House of
52 Representatives. One of each of the two members appointed by the
53 Governor, the president pro tempore of the Senate and the speaker of
54 the House of Representatives shall have specific expertise in the area of
55 telecommunications. Members of the council shall serve without
56 compensation, except for necessary expenses incurred in the
57 performance of their duties. Members shall serve on the council for
58 terms of two years each and no member shall serve for more than two
59 consecutive terms. The chairperson of the Public Utilities Control
60 Authority, or the chairperson's designee, and the Secretary of the
61 Office of Policy and Management, or the secretary's designee, shall be
62 ex-officio members of the council without vote and shall attend its
63 meetings. Any member who fails to attend three consecutive meetings
64 or fifty per cent of all meetings during any calendar year shall be
65 deemed to have resigned. The president pro tempore of the Senate and
66 the speaker of the House of Representatives shall jointly choose a
67 chairperson and a vice-chairperson to act in the chairperson's absence.

68 (b) The council shall meet at least quarterly, commencing on or
69 before September 1, 2008. A majority of the members in office shall
70 constitute a quorum.

71 (c) The duties of the council shall be to: (1) Monitor trends and
72 developments in the state's efforts to develop a state-wide world-class
73 communications infrastructure; and (2) issue any reports it deems
74 necessary to the joint standing committee of the General Assembly
75 having cognizance of matters relating to technology.

76 Sec. 503. Subsection (c) of section 12-692 of the general statutes is
77 repealed and the following is substituted in lieu thereof (*Effective July*
78 *1, 2007*):

79 (c) There is hereby imposed a one and one-half per cent surcharge
80 on machinery rented within the state by a rental company to a lessee
81 for a period of less than thirty-one days. The rental surcharge shall be
82 imposed on the total amount the rental company charges the lessee for
83 the rental of the machinery. Such surcharge shall be in addition to any
84 tax otherwise applicable to any such transaction, and shall be
85 includable in the measure of the sales and use taxes imposed under
86 chapter 219. For purposes of this subsection, such period shall
87 commence on the date any such machinery is rented to the lessee, and
88 terminate on the date such machinery is returned to the rental
89 company.

90 Sec. 504. Subdivision (7) of section 12-81 of the general statutes is
91 repealed and the following is substituted in lieu thereof (*Effective*
92 *October 1, 2007, and applicable to assessment years commencing on or after*
93 *October 1, 2007*):

94 (7) Subject to the provisions of sections 12-87 and 12-88, the real
95 property of, or held in trust for, a corporation organized exclusively for
96 scientific, educational, literary, historical or charitable purposes or for
97 two or more such purposes and used exclusively for carrying out one
98 or more of such purposes and the personal property of, or held in trust
99 for, any such corporation, provided (A) any officer, member or
100 employee thereof does not receive or at any future time shall not
101 receive any pecuniary profit from the operations thereof, except
102 reasonable compensation for services in effecting one or more of such
103 purposes or as proper beneficiary of its strictly charitable purposes,
104 and (B) in 1965, and quadrennially thereafter, a statement shall be filed
105 on or before the first day of November with the assessor or board of
106 assessors of any town, consolidated town and city or consolidated
107 town and borough, in which any of its property claimed to be exempt
108 is situated. Such statement shall be filed on a form provided by such
109 assessor or board of assessors. The real property shall be eligible for
110 the exemption regardless of whether it is used by another corporation
111 organized exclusively for scientific, educational, literary, historical or
112 charitable purposes or for two or more such purposes. On and after

July 1, 1967, housing subsidized, in whole or in part, by federal, state or local government and housing for persons or families of low and moderate income shall not constitute a charitable purpose under this section. As used in this subdivision, "housing" shall not include real property used for temporary housing belonging to, or held in trust for, any corporation organized exclusively for charitable purposes and exempt from taxation for federal income tax purposes, the primary use of which property is one or more of the following: (i) An orphanage; (ii) a drug or alcohol treatment or rehabilitation facility; (iii) housing for homeless, retarded or mentally or physically handicapped individuals, or for battered or abused women and children; (iv) housing for ex-offenders or for individuals participating in a program sponsored by the state Department of Correction or judicial branch; and (v) short-term housing operated by a charitable organization where the average length of stay is less than six months. The operation of such housing, including the receipt of any rental payments, by such charitable organization shall be deemed to be an exclusively charitable purpose.

Sec. 505. Subdivision (14) of section 12-81 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2007 and applicable to assessment years commencing on or after October 1, 2007*):

(14) Subject to the provisions of section 12-88, real property and its equipment owned by, or held in trust for, any religious organization and exclusively used as a school, a daycare facility, a Connecticut nonprofit camp or recreational facility for religious purposes, a parish house, an orphan asylum, a home for children, a thrift shop, the proceeds of which are used for charitable purposes, a reformatory or an infirmary or for two or more of such purposes.

Sec. 506. Subdivision (58) of section 12-81 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2007 and applicable to assessment years commencing on or after October 1, 2007*):

146 (58) Subject to authorization of the exemption by ordinance in any
147 municipality, any real or personal property leased to a charitable,
148 religious or nonprofit organization, exempt from taxation for federal
149 income tax purposes, provided such property is used exclusively for
150 the purposes of such charitable, religious or nonprofit organization
151 and not otherwise exempt under this section."